

2013 DRAFTING REQUEST

Bill

Received: **8/8/2013** Received By: **agary**
Wanted: **As time permits** Same as LRB:
For: **Jill Billings (608) 266-5780** By/Representing: **Chris**
May Contact: Drafter: **agary**
Subject: **Transportation - highways** Addl. Drafters:
Extra Copies: **EVM**

Submit via email: **YES**
Requester's email: **Rep.Billings@legis.wisconsin.gov**
Carbon copy (CC) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Making certain bridge repair expenses eligible for disaster damage aids

Instructions:

Redraft LRBa0453 as a bill

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 8/14/2013			_____			
/P1	agary 8/29/2013	scalvin 8/28/2013	jmurphy 8/28/2013	_____	sbasford 8/28/2013		State S&L
/1		csicilia 8/30/2013	jmurphy 8/30/2013	_____	lparisi 8/30/2013	srose 9/3/2013	State S&L

FE Sent For:

at
intro.

<END>

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/?	agary	/Pl SAC 08/28/2013	jm 8/28	self			
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FE Sent For: jm 8/30
 <END>



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBb0453/1
ARG:kjfrs

Instructions

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 40**

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 900, line 5: delete “the” and substitute “any of the following:
- 3 1. The”.
- 4 **2.** Page 900, line 6: after “but” insert “, except as provided in subd. 2.,”.
- 5 **3.** Page 900, line 8: after that line insert:
- 6 “2. Any deterioration or other condition of a bridge on a highway that, if not
- 7 repaired or rectified, may lead to failure of the bridge in the foreseeable future.”.
- 8 (END)



State of Wisconsin
2013 - 2014 LEGISLATURE

in
8/14



LRB-2876/P1

ARG.:....

Sac

D-Note

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *gen cat*; relating to: eligibility for disaster damage aids paid by the
2 Department of Transportation.

Analysis by the Legislative Reference Bureau

Under current law, if a highway that is not on the state trunk highway system (highway) is damaged by a disaster, the county or municipality having jurisdiction over the highway may petition the Department of Transportation (DOT) for payment of disaster damage aid. A "disaster" is defined as any of the following: 1) a severe storm, flood, fire, tornado, mudslide, or other natural event external to a highway; 2) the sudden failure of a major element or segment of the highway system due to a cause that is external to a highway (catastrophic highway failure), but not including any failure primarily attributable to gradual and progressive deterioration or lack of proper maintenance of a highway; or 3) an event or recurring damage caused by any governmental unit or person acting under the direction or approval of, or permit issued by, any governmental unit and in response to an event described in item 1) or 2), above. Upon receipt of a petition, DOT must make an investigation and determine whether to grant aid, the amount of the aid as determined under specified criteria, and the conditions under which aid is granted.

Under this bill, any deterioration or other condition of a bridge on a highway that, if not repaired or rectified, may lead to failure of the bridge in the foreseeable future is catastrophic highway failure eligible for disaster damage aid.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 86.34 (1g) (a) of the statutes, as created by 2013 Wisconsin Act 20,
is amended to read:

86.34 (1g) (a) “Catastrophic highway failure” means ~~the~~ any of the following:

1. The sudden failure of a major element or segment of the highway system due to a cause that is external to a highway, but, except as provided in subd. 2., does not include any failure primarily attributable to gradual and progressive deterioration or lack of proper maintenance of a highway.

History: 1971 c. 125 s. 522 (1); 1973 c. 333 s. 201w; 1977 c. 29 ss. 981, 1654 (8) (c); 1979 c. 34 s. 2102 (52) (a); 1979 c. 110 s. 60 (12); 1981 c. 20; 1985 a. 29 s. 3202 (51); 1987 a. 137 s. 6; 1993 a. 16, 437; 2013 a. 20.

SECTION 2. 86.34 (1g) (a) 2. of the statutes is created to read:

86.34 (1g) (a) 2. Any deterioration or other condition of a bridge on a highway that, if not repaired or rectified, may lead to failure of the bridge in the foreseeable future.

SECTION 3. Initial applicability.

(1) This act first applies to disasters that occur on the effective date of this subsection.

(END)

D-Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2876/P1dn

ARG:/:....

sac

- date -

Please review the attached draft carefully to ensure that it is consistent with your intent. This draft is budget amendment LRBb0453 in bill form.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2876/P1dn
ARG:sac:jm

August 28, 2013

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Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

Gary, Aaron

From: McKinny, Chris
Sent: Thursday, August 29, 2013 11:15 AM
To: Gary, Aaron
Subject: LRB 2876

Hi Aaron,

The bill draft that you put together for us regarding eligibility for disaster damage aids looks great-thanks!

Chris



State of Wisconsin
2013 - 2014 LEGISLATURE

in
8/29



LRB-2876/EX 1
ARG:sac:jm

soon

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

No changes

- 1 AN ACT *to amend* 86.34 (1g) (a); and *to create* 86.34 (1g) (a) 2. of the statutes;
2 relating to: eligibility for disaster damage aids paid by the Department of
3 Transportation.

Analysis by the Legislative Reference Bureau

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(1) This act first applies to disasters that occur on the effective date of this subsection.

(END)

Rose, Stéfanie

From: Divine, Kathy
Sent: Tuesday, September 03, 2013 10:30 AM
To: LRB.Legal
Subject: Draft Review: LRB -2876/1 Topic: Making certain bridge repair expenses eligible for disaster damage aids

Please Jacket LRB -2876/1 for the ASSEMBLY.